

Appl. No. 10/510,256

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Amendment/Response

Reply to non-Final Office action of 13 December 2005

Amendments to the drawing figures:

The attached drawing sheet is a new sheet presenting a new Fig.
6.

Attachment: New drawing sheet

REMARKS/DISCUSSION OF ISSUES

Claims 1-10 are pending in the application. Claims 1-9 are rejected.

The Examiner's acknowledgement of Applicant's claim of priority and receipt of certified copies of priority documents is appreciated.

The drawing(s) are objected to in that the reflector with capacitive body at least partially mounted therein is not shown.

A new drawing sheet is attached, having a new Fig. 6 showing a lamp assembly 60 in which the high-pressure discharge lamp 1 of the invention with an external capacitive body 45 is mounted in a lamp reflector 61 by means of a holder 62 and a cement layer 64. Electrode leads 67 and 68 are connected to a resonance ignition system 66.

The specification is currently amended to add Fig. 6 to the list of drawing figures, and to provide a descriptive paragraph for Fig. 6.

The new drawing figure and amendments to the specification are wholly supported by the specification and claims as originally filed, and thus do not constitute new matter.

The features of claims 6 and 7 are now shown in the drawings, and the objection should be withdrawn.

Claim 8 is rejected under 35 USC 112, second paragraph, in that the term 'preferably' renders the claim indefinite.

Claim 8 is currently amended to delete the phrase beginning with 'preferably', and new claim 10 is presented. Claim 10 presents the phrase deleted from claim 8 and is dependent thereon.

Accordingly, the rejection under 35 USC 112, second paragraph has been overcome, and should be withdrawn.

Claims 1-5, 8 and 9 are rejected under 35 USC 102(b) as being anticipated by Van den Nieuwenhuizen et al. (WO 00/77826) (herein 'Nieuwenhuizen').

Claims 1, 2, 4 and 9

Regarding claims 1, 2, 4 and 9, the Examiner has stated that in an alternative assembly, Nieuwenhuizen teaches that the capacitive body is part of an active system in which ignition voltages are exclusively applied to the capacitive body.

Claim 1 is currently amended to specify that the ignition voltages are applied to the electrodes, to make clear that the ignition voltages are not applied to the capacitive body.

Claim 8

Regarding claim 8, the Examiner has stated that Nieuwenhuizen teach that the electrodes are connected to a resonance ignition system, citing page 7, lines 1-9 (claim 1) of the reference.

However, claim 1 of Nieuwenhuizen does not speak to this issue. Nevertheless, Nieuwenhuizen teaches either a passive system in which the capacitive body is electrically connected to an electrode, or an active body in which the ignition voltages are applied to the capacitive body. Nieuwenhuizen does not teach to both electrically isolate the capacitive body and to apply the ignition voltages to the electrodes.

Accordingly, Nieuwenhuizen clearly fails to anticipate the high-pressure discharge lamp claimed by Applicant in claims 1-5, 8 and 9, and the rejection should be withdrawn.

Claims 6 and 7 are rejected under 35 USC 103(a) as being unpatentable over Nieuwenhuizen as applied to claims 1 and 2

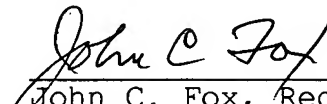
above, and further in view of Kawashima et al. (US 6,294,870) (herein 'Kawashima').

Without conceding the patentability per se of claims 6 and 7, these claims are patentable by reason of their dependency upon, and incorporation of the limitations of, claim 1.

Accordingly, claims 6 and 7 are patentable over the combination of Nieuwenhuizen Kawashima, and the rejection under 35 USC 103(a) should be withdrawn.

In conclusion, Applicant respectfully requests that the Examiner withdraw the objection and rejections of record, allow all the pending claims, and find the application to be in condition for allowance.

Respectfully submitted,


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